

Colon, Carlos

From: Wendy Cheney <wcheney@heartlandforchildren.org>
Sent: Tuesday, December 22, 2015 1:46 PM
To: Colon, Carlos
Subject: RE: Madison

I was advised we were letting them lapse. Do you want us to send a closure summary to you? We did not have the foster parents sign as the license was lapsing.

NO summary needed
W

Thank you,

Wendy Cheney, BS, CWT, CWCM
Relicensing Program Manager
1239 E. Main Street, Bartow, FL 33830
Desk: (863) 519-8900 x 274
Cell: (863) 287-1641



www.heartlandforchildren.org



From: Colon, Carlos [mailto:Carlos.Colon@myflfamilies.com]
Sent: Tuesday, December 22, 2015 1:21 PM
To: Wendy Cheney
Subject: Madison

Last activity I'm aware of was 10/22/15 staffing; license expired 12/18/15 - what was the closure plan?

Carlos Colon
Operations Review Specialist
Central Region Family Safety Program Office
Department of Children & Families
400 W. Robinson Street, Suite 912
Orlando, FL 32801
Phone: 407-317-7299
Cell: 407-970-0331
Fax: 407-245-0577

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Colon, Carlos

From: Westmoreland, Cheryl
Sent: Wednesday, July 15, 2015 5:13 PM
To: Colon, Carlos
Subject: RE: Madison

Please do not let HFC know yet. I have been trying to reach them for the past hour and have asked them to call me regarding Madison.

Cheryl D. Westmoreland, Esquire
Assistant Regional Counsel
Department of Children & Families
1055 U.S. Hwy 17 North
Bartow, Florida 33830
Phone: (863) 578-1706
Facsimile: (863) 534-0209
Mobile: (863) 529-1188

-----Original Message-----

From: Colon, Carlos
Sent: Wednesday, July 15, 2015 5:12 PM
To: Westmoreland, Cheryl
Subject: RE: Madison

Great; I'll have to figure out to do that post office search. I'll let HFC know. Thanks.

Carlos Colon
Operations Review Specialist
Central Region Family Safety Program Office Department of Children & Families
400 W. Robinson Street, Suite 912
Orlando, FL 32801
Phone: 407-317-7299
Cell: 407-970-0331
Fax: 407-245-0577

-----Original Message-----

From: Westmoreland, Cheryl
Sent: Wednesday, July 15, 2015 5:06 PM
To: Colon, Carlos
Subject: RE: Madison

Okay...according to the post office website, the letter was delivered on July 6, 2015. They will need to request a hearing by July 27, 2015 or their home can be closed. I will find out if any follow up needs to be done and by whom.

Cheryl D. Westmoreland, Esquire
Assistant Regional Counsel
Department of Children & Families
1055 U.S. Hwy 17 North
Bartow, Florida 33830

Phone: (863) 578-1706
Facsimile: (863) 534-0209
Mobile: (863) 529-1188

-----Original Message-----

From: Colon, Carlos
Sent: Wednesday, July 15, 2015 4:42 PM
To: Westmoreland, Cheryl
Subject: RE: Madison

Here it is, both sides.

Carlos Colon
Operations Review Specialist
Central Region Family Safety Program Office Department of Children & Families
400 W. Robinson Street, Suite 912
Orlando, FL 32801
Phone: 407-317-7299
Cell: 407-970-0331
Fax: 407-245-0577

-----Original Message-----

From: Westmoreland, Cheryl
Sent: Wednesday, July 15, 2015 4:39 PM
To: Colon, Carlos
Subject: RE: Madison

scan and email me the card.

Cheryl D. Westmoreland, Esquire
Assistant Regional Counsel
Department of Children & Families
1055 U.S. Hwy 17 North
Bartow, Florida 33830
Phone: (863) 578-1706
Facsimile: (863) 534-0209
Mobile: (863) 529-1188

-----Original Message-----

From: Colon, Carlos
Sent: Wednesday, July 15, 2015 4:38 PM
To: Westmoreland, Cheryl
Subject: RE: Madison

Then that's an issue because the date is not indicated - the space for that is blank.

Carlos Colon
Operations Review Specialist
Central Region Family Safety Program Office Department of Children & Families
400 W. Robinson Street, Suite 912
Orlando, FL 32801
Phone: 407-317-7299

Cell: 407-970-0331

Fax: 407-245-0577

-----Original Message-----

From: Westmoreland, Cheryl

Sent: Wednesday, July 15, 2015 4:36 PM

To: Colon, Carlos

Subject: RE: Madison

The return receipt will indicate the date that the letter was delivered to the Madison's. That is the date that starts the 21 days.

Cheryl D. Westmoreland, Esquire
Assistant Regional Counsel
Department of Children & Families
1055 U.S. Hwy 17 North
Bartow, Florida 33830
Phone: (863) 578-1706
Facsimile: (863) 534-0209
Mobile: (863) 529-1188

-----Original Message-----

From: Colon, Carlos

Sent: Wednesday, July 15, 2015 4:31 PM

To: Westmoreland, Cheryl

Subject: RE: Madison

Yes, on 7/10/15.

Carlos Colon
Operations Review Specialist
Central Region Family Safety Program Office Department of Children & Families
400 W. Robinson Street, Suite 912
Orlando, FL 32801
Phone: 407-317-7299
Cell: 407-970-0331
Fax: 407-245-0577

-----Original Message-----

From: Westmoreland, Cheryl

Sent: Wednesday, July 15, 2015 4:27 PM

To: Colon, Carlos

Subject: RE: Madison

Have we received the return receipt back from the post office?

Cheryl D. Westmoreland, Esquire
Assistant Regional Counsel
Department of Children & Families
1055 U.S. Hwy 17 North
Bartow, Florida 33830
Phone: (863) 578-1706

Facsimile: (863) 534-0209

Mobile: (863) 529-1188

-----Original Message-----

From: Colon, Carlos

Sent: Wednesday, July 15, 2015 4:21 PM

To: Westmoreland, Cheryl

Subject: FW: Madison

Cheryl see below; does HFC have to "close" the home or does our letter suffice? And what would be the closing date?

Thanks.

Carlos Colon

Operations Review Specialist

Central Region Family Safety Program Office Department of Children & Families

400 W. Robinson Street, Suite 912

Orlando, FL 32801

Phone: 407-317-7299

Cell: 407-970-0331

Fax: 407-245-0577

-----Original Message-----

From: Susan Ripley [mailto:SRIPLEY@heartlandforchildren.org]

Sent: Wednesday, July 15, 2015 12:12 PM

To: Colon, Carlos; Klinkbeil, Traci

Cc: Kimberly Daugherty; Wendy Cheney

Subject: Madison

Carlos and Traci,

The revocation letter to the Madison's was dated 6/23/15 and advised that they had 21 days to respond and that would have been yesterday, do we proceed with closing the home, or do we count them closed as of 6/23/15? Im assuming you have received no correspondence from them? Thanks for the guidance.

Susan Ripley, MA CWLS-S

Director of Foster Care Licensing

Heartland for Children

863-519-8900 ext 217

Sent from my iPhone

Please consider the environment before printing this e-mail. This e-mail (including any attached files) is intended only for the addressee and may contain confidential and privileged information that is exempt from public disclosure. If you are not the addressee, you are notified that any transmission, distribution, printing or photocopying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify me and destroy all copies of the original message.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dee and Michael Madison



2. Article Number
(Transfer from service label)



PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

M. Madison

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

*Charly checked
at Post Office -
delivered 7/6/15*

CERTIFIED MAIL



Melodee and Michael Madison



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

Melodee and Michael Madison





State of Florida
Department of Children and Families

Rick Scott
Governor

Mike Carroll
Secretary

William S. D'Aluto
Regional Managing
Director

Certified Mail Number: [REDACTED]

June 23, 2015

Melodee and Michael Madison
[REDACTED]

Dear Mr. and Mrs. Madison:

This letter is to advise you that the Department is revoking your license to operate a family foster home pursuant to section 409.175(9), Florida Statutes, due to violations of section 409.175, Florida Statutes and Rule 65C-13, Florida Administrative Code and due to an intentional or negligent act on your part that materially affected the health and safety of a child or children in your care.

[REDACTED]

[REDACTED]

Based upon this incident, the Department received abuse report number 2015-051805. At the completion of the investigation, [REDACTED]

[REDACTED] Mr. Madison was listed as the caregiver responsible.

409.175(5)(f), Florida Statutes

The department's rules shall include adoption of a form to be used by child-placing agencies during an adoption home study that requires all prospective adoptive applicants to acknowledge

Central Region • 400 W Robinson Street, Suite S1129 • Orlando, Florida 32801-1782

Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

in writing the receipt of a document containing solely and exclusively the language provided for in s. 790.174 verbatim.

Rule 65C-13.030(3)(j), Florida Administrative Code

(6) Storage of guns shall comply with the requirements in Section 790.174, F.S., and all agencies shall, as part of the home study process, require applicants to sign CF-FSP 5343, Acknowledgement of Firearms Safety Requirements, effective February 2013...

790.174, Florida Statutes

A person who stores or leaves, on a premise under his or her control, a loaded firearm, as defined in s. 790.001, and who knows or reasonably should know that a minor is likely to gain access to the firearm without the lawful permission of the minor's parent or the person having charge of the minor, or without the supervision required by law, shall keep the firearm in a securely locked box or container or in a location which a reasonable person would believe to be secure or shall secure it with a trigger lock, except when the person is carrying the firearm on his or her body or within such close proximity thereto that he or she can retrieve and use it as easily and quickly as if he or she carried it on his or her body.

Rule 65C-13.029(1)(b), Florida Administrative Code

All children in the home shall be protected from abandonment, exploitation, neglect, and abuse

Your actions on February 23, 2015 were not reasonable or responsible and, as a result, the safety and well-being of three individual children were not protected from harm or imminent risk of harm.

Pursuant to section 409.175(2)(f), Florida Statutes, a family foster home license is not a property right, but rather a public trust and privilege. You have breached that public trust by violating laws and rules adopted for the safety and welfare of children placed in your care. In addition, any of the conditions outlined in section 409.175(9)(b), Florida Statutes, are grounds for revocation of your foster care license.

RIGHT TO ADMINISTRATIVE PROCEEDING

**IF YOU BELIEVE THIS DECISION IS IN ERROR, YOU MAY REQUEST AN
ADMINISTRATIVE HEARING IN ACCORDANCE WITH THE ENCLOSED
"NOTIFICATION OF RIGHTS UNDER CHAPTER 120, FLORIDA STATUTES"**

Sincerely,



Traci Klinkbeil, M.A., C.P.M.
Program Manager

NOTIFICATION OF RIGHTS UNDER CHAPTER 120, FLORIDA STATUTES

IF YOU BELIEVE THE DEPARTMENT'S DECISION IS IN ERROR, YOU MAY REQUEST AN ADMINISTRATIVE HEARING UNDER SECTIONS 120.569 AND 120.57, FLORIDA STATUTES, TO CONTEST THE DECISION. YOUR REQUEST FOR AN ADMINISTRATIVE HEARING MUST BE RECEIVED BY THE DEPARTMENT BY 5:00, P.M., NO LATER THAN 21 CALENDAR DAYS AFTER YOU RECEIVED NOTICE OF THE DEPARTMENT'S DECISION.

You must submit your request for an administrative hearing to the Department at the following addresses:

Cheryl D. Westmoreland, Esquire
Assistant Regional Counsel, Circuit 10
1055 U.S. Highway 17 North
Bartow, Florida 33830

IF YOUR REQUEST FOR AN ADMINISTRATIVE HEARING IS NOT RECEIVED BY THE DEPARTMENT BY THE ABOVE DEADLINE, YOU WILL HAVE WAIVED YOUR RIGHTS TO A HEARING AND THE DEPARTMENT'S PROPOSED ACTION WILL BE FINAL.

If you disagree with the facts stated in the Department's decision, you may request a formal administrative hearing under section 120.57(1), Florida Statutes. At a formal hearing, you may present evidence and arguments on all issues involved, and question the witnesses called by the Department.

If you do not disagree with the facts stated in the notice, you may request an informal administrative hearing under section 120.57(2), Florida Statutes. At an informal hearing, you may present your argument or a written statement for consideration by the Department.

Your request for an administrative hearing must meet the requirements of Rule 28-106.201(2) or Rule 28-106.301(2), Florida Administrative Code, depending on whether you request a formal hearing or an informal hearing. In either event, your request for an administrative hearing must:

1. Include a copy of the decision received from the Department;
2. Be prepared legibly on 8½ by 11 inch white paper, and
3. Include all of the following items:
 - (a) The Department's file or identification number, if known;

- (b) Your name, address, email address (if any) and telephone number and the name, address, email address (if any) and telephone number of your representative, if any;
- (c) An explanation of how your rights or interests will be affected by the action described in the notice of the Department's decision;
- (d) A statement of when and how you received notice of the Department's decision;
- (e) A statement of all facts in the notice of the Department's decision with which you disagree. If you do not disagree with any of the facts stated in the notice, you must say so;
- (f) A statement of the facts you believe justify a change in the Department's decision;
- (g) A statement of the specific rules or statutes you believe require reversal or modification of the Department's proposed action;
- (h) A statement explaining how the facts you have alleged above relate to the specific rules or statutes you have identified above; and
- (i) A statement of the relief you want, including precisely the action you want the Department to take.

Section 120.569, Florida Statutes, and rule 28-106.201(4), Florida Administrative Code, require the Department to dismiss your request for hearing if it is not in substantial compliance with the requirements above.

Mediation as described in section 120.573, Florida Statutes, is not available. However, other forms of mediation or informal dispute resolution may be available after a timely request for an administrative hearing has been received, if agreed to by all parties, and on such terms as agreed to by all parties. The right to an administrative proceeding is not affected when mediation or informal dispute resolution does not result in a settlement.